

MICHELE BECKWITH
Acting United States Attorney
JAMES R. CONOLLY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BENJAMIN JOHN SARGISSON,

Defendant.

CASE NO. 2:22-CR-16-DC

AMENDED STIPULATION REGARDING
EXCLUDABLE TIME PERIODS UNDER SPEEDY
TRIAL ACT; ~~PROPOSED~~ ORDER

DATE: May 9, 2025
TIME: 9:30 a.m.
COURT: Hon. Dena M. Coggins

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By this stipulation, defendant moves to continue the status conference until June 13, 2025, at 9:30 a.m., and to exclude time between May 9, 2025, and June 13, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

2. The parties agree and stipulate, and request that the Court find the following:

a) The government is in the process of tracking down a video recording from a security camera, which the defense has requested. The government has represented that the discovery associated with this case includes investigative reports and photographs, which the government has otherwise produced directly to counsel. There is also physical evidence in the form of the firearms in question, which the government has available for inspection, and will

likewise make any other physical evidence available for inspection.

b) Defense counsel has requested additional specific discovery from the government, which the government is in the process of tracking down and producing. Anticipating he will need time to review this discovery, defense counsel desires additional time to review the discovery produced, to consult with his client, to conduct investigation and research related to the current charges, to discuss potential resolutions to this matter, and to otherwise prepare for trial.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of May 9, 2025 to June 13, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

3. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

1 Dated: May 1, 2025

MICHELE BECKWITH
Acting United States Attorney

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3 /s/ JAMES R. CONOLLY
JAMES R. CONOLLY
Assistant United States Attorney

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5 Dated: May 1, 2025

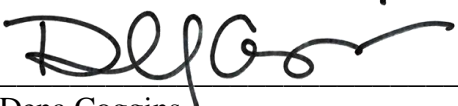
6 /s/ MARIO TAFUR
MARIO TAFUR
Counsel for Defendant
BENJAMIN JOHN SARGISSON

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9 **ORDER**

10 The court, having received, read and considered the parties' stipulation and good cause
11 appearing therefrom, ADOPTS the parties' stipulation. Accordingly, the Status Conference scheduled
12 for May 9, 2025, at 9:30 a.m. is VACATED and RESET for June 13, 2025 at 9:30 a.m. in Courtroom 8
13 before the Honorable Dena M. Coggins. The time period between May 9, 2025 and June 13, 2025 is
14 excluded under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4], as the ends of justice served by
15 granting the continuance outweigh the best interest of the public and the defendants in a speedy trial.
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20 IT IS SO ORDERED.

21 Dated: May 6, 2025

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Dena Coggins
United States District Judge